

PROB 12C  
(7/93)

United States District Court

for the

Eastern District of Washington

Petition for Warrant or Summons for Offender Under Supervision

Report Date: June 10, 2010  
FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JAN 27 2011

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

Name of Offender: Montes-Martinez, Antonio De  
Jesus

Case Number: 2:06CR02199-001 -FVS

Address of Offender: Incarcerated at the Yakima County Jail, Yakima, WA

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: 05/17/2007

Original Offense: Possession of Counterfeit Immigration Documents, 18 U.S.C. § 1546(a)

Original Sentence: Prison - 6 Months; Type of Supervision: Supervised Release  
TSR - 36 Months

Asst. U.S. Attorney: Gregory Morris Shogren Date Supervision Commenced: 06/14/2007

Defense Attorney: Rick Lee Hoffman Date Supervision Expires: 06/13/2010

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PETITIONING THE COURT

To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on November 16, 2009.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number      Nature of Noncompliance

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**Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

**Supporting Evidence:** On March 6, 2010, the defendant was arrested by the Grandview Police Department in Grandview, Washington, for violation of a protection order.

According to the police report, on March 6, 2010, the victim notified law enforcement that her boyfriend, the defendant, came to her house intoxicated, assaulted her and took her vehicle.

The victim stated the defendant came to her house intoxicated and the two began to argue. The defendant became angry, pushed her and then threw her onto the floor. The defendant then sat on the victim, pinned her arms to the floor above her head. While doing this he took her cell phone and car keys out of her pocket. The victim states she was fearful she would be injured if she attempted to stop the defendant from taking these items. The defendant then left the victim's residence in her car. The victim then went to the police department to report the incident.

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On March 8, 2010, the defendant made an initial appearance in the Yakima County Superior Court, count 1: tampering with a witness, count 2: attempt to elude a police vehicle and count 3: protection order violation, case number 10-1-00354-7.

On May 20, 2010, the defendant was sentenced to 3 months confinement with credit for time served on counts 1 and 2, and 365 days with 275 days suspended on count 3.

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**Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

**Supporting Evidence:** On March 6, 2010, the defendant was arrested by the Grandview Police Department for eluding a police vehicle.

According to the police report, as officers with the Grandview Police Department were attempting to locate the defendant in regards to the above-listed violation (number 4), deputies with the Benton County Sheriff's Office were in a vehicle pursuit with the defendant leading into the Grandview, Washington, city limits.

While being pursued by multiple law enforcement agencies, the defendant crashed the vehicle he was driving into a telephone pole. It is estimated at the time of the crash the defendant was traveling at more than 100 miles per hour in a residential neighborhood with a speed limit of 25 miles per hour.

After crashing the vehicle, the defendant exited the car and began running. A deputy attempted to use a Taser on the defendant, however, this was unsuccessful. The defendant continued to elude police and a containment area utilizing the K-9 unit was established. The K-9 unit was able to track the defendant hiding in bushes in a backyard. The defendant was given several verbal commands to exit the bushes. The defendant failed to follow the verbal directives and the K-9 was released onto the defendant. The defendant came out of the bushes and began to resist officers and the K-9. The defendant was taken to the ground and continued to pull, twist, and fight with officers.

Officers were able to gain control of the defendant and was placed into handcuffs. The defendant was then transported and booked into the local jail.

On May 26, 2010, the defendant made an initial appearance in the Benton County Superior Court, case number 10-1-00277-8.

On June 2, 2010, this matter was dismissed.

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**Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

**Supporting Evidence:** The defendant illegally reentered the United States without permission on or about March 6, 2010, as evidenced in the above violations.

Information received from the U.S. Immigration and Customs Enforcement, indicates the defendant was deported to Mexico, at El Paso, Texas, on June 27, 2007, and most recently on April 26, 2008, at San Ysidro, California, and has not obtained legal permission to reenter the United States.

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At the time of this report, information received from the Assistant U.S. Attorneys Office indicates the defendant will be facing new charges of Alien in United States, in violation of 8 U.S.C. § 1326, however, the official paperwork has not been filed and is forthcoming.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 06/10/2010

s/Jose Zepeda

Jose Zepeda  
U.S. Probation Officer

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#### THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Other

Fred Van Buren

Signature of Judicial Officer

June 10, 2010

Date